

FIRST REGULAR SESSION

HOUSE BILL NO. 946

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HENDERSON.

2160H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 33, RSMo, by adding thereto one new section relating to the education stabilization fund.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 33, RSMo, is amended by adding thereto one new section, to be
2 known as section 33.567, to read as follows:

**33.567. 1. There is hereby created in the state treasury the "Education
2 Stabilization Fund", which shall consist of moneys collected under this section. The
3 state treasurer shall be custodian of the fund. In accordance with sections 30.170 and
4 30.180, the state treasurer may approve disbursements. Notwithstanding the provisions
5 of section 33.080 to the contrary, any moneys remaining in the fund at the end of the
6 biennium shall not revert to the credit of the general revenue fund. The fund shall be a
7 dedicated fund and, upon appropriation, moneys in this fund shall be used solely as
8 provided in this section. The state treasurer shall invest moneys in the fund in the same
9 manner as other funds are invested. Any interest and moneys earned on such
10 investments shall be credited to the fund.**

**11 2. Subject to appropriation by the general assembly, the governor may transfer
12 moneys into the education stabilization fund. In any fiscal year in which actual
13 revenues are less than the revenue estimates upon which appropriations were based, the
14 governor may, subject to appropriation, transfer from the education stabilization fund
15 to the foundation formula as administered by the department of elementary and
16 secondary education such moneys as are necessary to ensure the free public schools are
17 funded as closely to the fully appropriated amount as practicable.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **3. The balance in the fund at the close of any fiscal year shall not exceed ten**
19 **percent of the previous fiscal year's appropriation to the foundation formula.**

20 **4. When the balance in the fund at the close of the fiscal year exceeds ten percent**
21 **of the previous fiscal year's appropriation to the foundation formula, the excess balance**
22 **shall be transferred, subject to appropriation, to the general revenue fund.**

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